

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Masashi TAKAI et al.

Serial No.: 10/590,872

Int'l Application No.: PCT/JP2005/03018

Date Filed: August 25, 2006

Int'l Application Filing Date: 24 February 2005

For: OPTICAL MEMBER AND BACKLIGHT USING THE SAME

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RENEWED PETITION UNDER 37 C.F.R. 1.182**

In response to the Decision On Petition dated September 9, 2008 of the Office of PCT Legal Administration of the Patent Office, applicant hereby transmits (i) copy of the September 9, 2008 Decision (**Exhibit 1** hereto) and (ii) a DECLARATION OF MIKIKO TAKADA née MIKIKO ABE (**Exhibit 2** hereto).

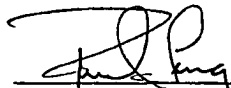
In response to a Notification of Missing Requirements Under 35 U.S.C. 371 dated April 30, 2007 from the Patent Office, applicant submitted a response dated June 28, 2007 (attached hereto as **Exhibit 3**), including a supplemental oath/declaration signed by second co-inventor Sachiko ANDO née Sachiko ARAKI.

The September 9, 2008 Decision states that the supplemental oath/declaration must be supplemented by a statement indicating that the second co-inventor's name has changed from Sachiko ANDO's to Sachiko ARAKI, and setting forth the reason for the name change.

The enclosed DECLARATION OF SACHIKO ANDO née SACHIKO ARAKI states that the inventor's name changed due to marriage.

If any additional fees are required, the Patent Office is hereby authorized to charge our Deposit Account No. 03-3125.

Respectfully submitted,



PAUL TENG, Reg. No. 40,837  
Attorney for Applicant  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, N.Y. 10036  
Tel.: (212) 278-0400

Date: October 27, 2008

# **EXHIBIT 1**

to

**RENEWED PETITION UNDER 37 C.F.R. 1.182**  
**(Serial No. 10/590,872)**

5048/76775

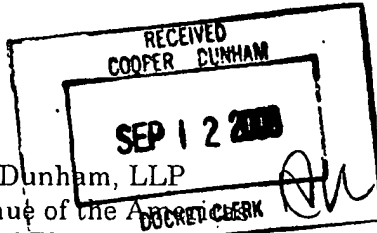
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09 SEP 2008



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P O Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov



Cooper & Dunham, LLP  
1185 Avenue of the Americas  
New York, NY 10036

In re Application of TAKAI et al.

Application No.: 10/590,872

PCT No.: PCT/JP05/03018

Int. Filing Date: 24 February 2005

Priority Date: 27 February 2004

Attorney Docket No.: 5048/76775

For: OPTICAL MEMBER AND BACKLIGHT  
USING THE SAME

DECISION ON PETITION

This decision is issued in response to applicants' "Petition under 37 CFR 1.181 to Withdraw the Holding of Abandonment" dated 30 July 2008. Additionally, this decision is issued in response to applicants' 02 July 2007 submission of a declaration, treated herein as a petition under 37 CFR 1.182 to correct the name of second inventor. Deposit Account No. 03-3125 will be charged the required petition fee.

### BACKGROUND

On 24 February 2005, applicants filed international application PCT/JP05/03018. The international application claimed a priority date of 27 February 2004, and it designated the United States. On 09 August 2005, a copy of the international application was communicated to the United States Patent And Trademark Office ("USPTO") by the International Bureau ("IB"). The deadline for payment of the basic national fee was thirty months from the priority date, i.e., 27 August 2006.

On 25 August 2006, applicants filed a transmittal letter for entry into the national stage in the United States accompanied by, among other materials, payment of the basic national fee; an executed declaration; and a translation of the international application into English.

On 30 April 2007, the United States Designated/Elected Office (DO/EO/US) mailed a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that the declaration was defective because the second inventor was not identified by the name listed on the international application. The notification set a TWO (2) MONTH period for response.

On 07 July 2008, mailed a Notification of Abandonment indicating that the application was abandoned for failure to file a complete response to the Notification of Missing Requirements mailed 30 April 2007 within the time period set therein.

On 30 July 2008, applicants filed "Petition under 37 CFR 1.181 to Withdraw the Holding of Abandonment" which included a declaration considered herein. The declaration identified the second inventor as "Sachiko Ando nee Sachiko Araki." The name of record for this inventor, as set forth on the published international application, is Sachiko Araki.

### DISCUSSION

#### A. Response to Notification of Missing Requirements

Applicants state in the present petition that there was a typographical error on the Response to Notification of Missing Requirements under 35 U.S.C. 371 filed on 02 July 2007. More specifically, the serial number on the cover page was incorrectly indicated as '10/590,871.' Due to applicants' typographical error, the papers were placed in 10/590,871. The papers have been removed from application number 10/590,871 and placed in application folder number 10/590,872. Therefore, the Notification of Abandonment mailed 07 July 2008 is hereby VACATED.

#### B. Petition under 37 CFR 1.182 (Name of Second Inventor)

As stated above, the declaration filed 25 August 2006 (and 02 July 2007) identified the second inventor as Sachiko ANDO. Section 605.04(b) of the Manual Of Patent Examining Procedure ("MPEP") states that:

Except for correction of a typographical or transliteration error in the spelling of an inventor's name, a request to have the name changed from the typewritten version to the signed version or any other corrections in the name of the inventor(s) will not be entertained, unless accompanied by a petition under 35 U.S.C. 1.182 together with an appropriate petition fee.

In this case, the surname of the second inventor is listed as "ARAKI" on the published international application and as "ANDO" on the declaration. This is more than a mere typographical error or a phonetic misspelling of the applicant's name. Accordingly, the submission of this declaration has been treated as a petition under 37 CFR 1.182 to correct the name of record for this inventor. For such a petition to be grantable, MPEP § 605.04(c) states that "the petition must include an appropriate petition fee and a statement signed by the inventor setting forth both names and the procedure whereby the change of name was effected; or a copy of the court order.

Here, applicants' submission included the authorization to charge Deposit Account No. 03-3125 for required fees. Based on this authorization, the Deposit Account will be charged the requisite petition fee of \$400. However, applicants have not submitted the

required statement from the inventor (or court order) confirming the name change and the procedure whereby the name was changed (for example, by marriage). It is noted that the 02 July 2007 submission of a "Japanese Language Declaration (of inventorship)" executed by the second inventor as "Sachiko Ando nee Sachiko Araki" is not an acceptable statement.

Because applicants have failed to submit all the requirements for a grantable petition, correction of the inventor's name on the present record is inappropriate. Accordingly, the declaration filed 25 August 2006, which identifies the second inventor as Sachiko Ando, is defective for failure to properly identify the inventors of record herein.

### CONCLUSION

Applicants' petition under 37 CFR 1.182 is **DISMISSED** without prejudice. The declaration submitted by applicants on 06 June 2006 is defective for failure to properly identify the inventors of record.

The Notification of Abandonment mailed 07 July 2008 is hereby VACATED.

Any request for reconsideration on the merits must be filed within TWO (2) MONTHS from the mail date of this decision. Any such response must include the statement required for a grantable petition under 37 CFR 1.182 regarding the change of the inventor's name and the procedure whereby the change of name was effected, as discussed above and in the MPEP, as well as complete copies of the declarations executed by the inventors herein. Such submission should also include a corrected application data sheet that lists the correct name for the second inventor.

Failure to file a proper response in a timely manner will result in **ABANDONMENT** of the application. Extensions of time are available under 37 CFR 1.136(a).

Any further correspondence with respect to this matter should be addressed to the Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



Anthony Smith  
Attorney-Advisor  
Office of PCT Legal Administration  
Tel: (571) 272-3298  
Fax: (571) 273-0459

# **EXHIBIT 2**

to  
RENEWED PETITION UNDER 37 C.F.R. 1.182  
(Serial No. 10/590,872)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Masashi TAKAI et al.

Serial No.: 10/590,872

Int'l Application No.: PCT/JP2005/03018

Date Filed: August 25, 2006

Int'l Application Filing Date: 24 February 2005

For: OPTICAL MEMBER AND BACKLIGHT USING THE SAME

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**DECLARATION OF SACHIKO ANDO NÉE SACHIKO ARAKI**

I, Sachiko ANDO née Sachiko ARAKI, hereby declare that:

1. I am the second co-inventor of the above-identified patent application, which is a United States national stage of International Application No. PCT/JP2005/03018, as indicated in the oath/declaration I signed (copy attached as Exhibit A hereto) and was submitted in connection with this U.S. application.
2. I am the same Sachiko ARAKI identified in International Application No. PCT/JP2005/03018 as the second co-inventor.
3. I was married on 19 June 2005, on which date my legal name changed from Sachiko ARAKI to Sachiko ANDO. That is, Ando is my husband's last name (and now my last name by virtue of marriage), and Sachiko ARAKI is my maiden name.

**I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.**

Date: 15 October 2008

Sachiko ANDO  
Sachiko ANDO

# **EXHIBIT A**

to

**DECLARATION OF SACHIKO ANDO NÉE SACHIKO ARAKI**  
(Serial No. 10/590,872)



Under the Paperwork Reduction Act of 1996, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## Declaration and Power of Attorney For Patent Application

### 特許出願宣言書及び委任状

### Japanese Language Declaration

### 日本語宣言書

下記の氏名の発明者として、私は以下の通り宣言します。

As a below named inventor, I hereby declare that:

私の住所、私書箱、国籍は下記の私の氏名の後に記載された通りです。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者であると（下記の名称が複数の場合）信じています。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Optical member and backlight using  
the same

上記発明の明細書（下記の欄でX印がついていない場合は、本欄に添付）は、

the specification of which is attached hereto unless the following box is checked:

☐ 月 日に提出され、米国出願番号または特許協定条約  
国際出願番号を \_\_\_\_\_ とし、  
(該当する場合) \_\_\_\_\_ に訂正されました。

☒ was filed on February 24, 2005  
as United States Application Number or  
PCT International Application Number  
PCT/JP2005/3018 and was amended on  
\_\_\_\_\_ (if applicable).

私は、特許請求範囲を含む上記訂正後の明細書を検討し、  
内容を理解していることをここに表明します。

I hereby state that I have reviewed and understand the contents of  
the above identified specification, including the claims, as  
amended by any amendment referred to above.

私は、連邦規則法典第37編第1条56項に定義されると  
おり、特許資格の有無について重要な情報を開示する義務が  
あることを認めます。

I acknowledge the duty to disclose information which is material to  
patentability as defined in Title 37, Code of Federal Regulations,  
Section 1.56.

Page 1 of 3

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Washington, DC 20231

## Japanese Language Declaration (日本語宣言書)

私は、米国法典第35編119条(a)-(d)項又は365条(c)項に基づき、本出願以外の国の少なくとも一か国を指定している特許協力条約365(a)項に基づき国際出願、又は外国での特許出願もしくは発明特許の出願について外国優先権をここに主張するとともに、優先権を主張している。本出願の前に出願された特許または発明特許の外国出願を以下に括弧をマークすることで、示しています。

### Prior Foreign Application(s)

外国での先行出願

2004-52780	Japan
(Number)	(Country)
(番号)	(国名)
2004-52781	Japan
(Number)	(Country)
(番号)	(国名)
2004-88625	Japan
(Number)	(Country)
(番号)	(国名)
2004-94651	Japan
(Number)	(Country)
(番号)	(国名)
2004-94652	Japan
(Number)	(Country)
(番号)	(国名)

私は、第35編米国法典119条(e)項に基づいて下記の特許出願規定に記載された権利をここに主張いたします。

(Application No.)	(Filing Date)
(出願番号)	(出願日)

私は、下記の特許出願規定に記載された権利、又は米国を指定している特許協力条約365(c)項に基づき権利をここに主張します。また、本出願の各請求範囲の内容が米国法典第35編112条第1項又は特許協力条約で規定された方法で先行する米国特許出願に開示されていない限り、その先行米国出願書提出日以後で本出願書の日本国内または特許協力条約国際提出日までの期間中に入手された、通報規則法典第37編1条56項で規定された特許侵害の有無に関する重要な情報について開示義務があることを認識しています。

(Application No.)	(Filing Date)
(出願番号)	(出願日)

(Application No.)	(Filing Date)
(出願番号)	(出願日)

私は、私自身の知識に基づいて本宣言書で私が行なう説明が真実であり、かつ私の入手した情報と私の信じていることに基づき説明が全て真実であると信じていること、さらに故意になされた虚偽の説明及びそれと同等の行為は米国法典第18編第1001条に基づき罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の説明を行えば、出願した、又は既に許可された特許の効力が失われることを認識し、この宣言に記のごとく

I hereby claim foreign priority under Title 35, United States Code, Section 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed  
 優先権主張なし

27/2/2004	<input type="checkbox"/>
(Day/Month/Year Filed)	
(出願年月日)	
27/2/2004	<input type="checkbox"/>
(Day/Month/Year Filed)	
(出願年月日)	
25/3/2004	<input type="checkbox"/>
(Day/Month/Year Filed)	
(出願年月日)	
29/3/2004	<input type="checkbox"/>
(Day/Month/Year Filed)	
(出願年月日)	
29/3/2004	<input type="checkbox"/>
(Day/Month/Year Filed)	
(出願年月日)	

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.)	(Filing Date)
(出願番号)	(出願日)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of application.

(Status: Patented, Pending, Abandoned)
(現況: 特許許可済、係属中、放棄済)

(Status: Patented, Pending, Abandoned)
(現況: 特許許可済、係属中、放棄済)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued

## Japanese Language Declaration (日本国電達書)

委任状: 私は本出願を審査する手続を行い、且つ米特許庁と  
の全ての事項を進行するために、記名された代理人として、下記の弁  
理士及び/または弁理士を任命する。(氏名及び電話番号を記載する  
こと)

POWER OF ATTORNEY: As a named inventor, I hereby appoint  
the following attorney(s) and/or agent(s) to prosecute the  
application and transact all business in the Patent and Trademark Office  
connected therewith (full name and telephone number)

Ivan S. Kavrukov (Reg. No. 25,161); Paul Teng (Reg. No. 40,837); Christopher C. Dunham (Reg. No. 22,031);  
Norman H. Zivin (Reg. No. 25,385); John P. White (Reg. No. 28,678); William E. Pelton (Reg. No. 25,702);  
Robert D. Katz (Reg. No. 30,141); Gary J. Gersbik (Reg. No. 39,992); Peter J. Phillips (Reg. No. 29,691);  
Richard F. Jaworski (Reg. No. 33,515).

送付先

Send Correspondence to:

Customer Number 23432  
Ivan S. Kavrukov  
COOPER & DUNHAM LLP  
1185 Avenue of the Americas  
New York, NY 10036

直通電話番号: (氏名及び電話番号)

Direct Telephone Calls to: (name and telephone number)

Ivan S. Kavrukov, (212) 278-0400

唯一または第一発明者氏名

Full name of sole or first inventor

Masashi TAKAI

発明者の署名

日付

Inventor's signature

Date

住所

Residence

1-3-13-101, Ooto, Chuo-ku, Saitama-shi,  
Saitama 3380012, Japan

国籍

Citizenship

Japanese

郵便の増元

Post Office Address

same as residence

第二発明者氏名がある場合、その氏名

Full name of second joint inventor, if any

Sachiko ANDO nee Sachiko ARAKI

第二発明者の署名

日付

Second inventor's signature

Date

Sachiko ANDO nee Sachiko ARAKI June 17/2007

住所

Residence

WOODBELLA OYAMA 405, 24-4,  
Aoyama 4-chome, Handa-shi, Aichi 475-  
0836, Japan

国籍

Citizenship

Japanese

郵便の増元

Post Office Address

same as residence

以下の共同発明者についても同様に記載し、署名を

(Supply similar information and signature for third and subsequent joint inventors.)

唯一または第一発明者		Full name of third joint inventor, if any Yohei FUNABASHI	
発明者の署名	日付	Inventor's signature	Date
住所	Residence 5-19-6-409, Nijuku Katsushika-ku, Tokyo 1250051, Japan		
国籍	Citizenship Japanese		
郵便局	Post Office Address same as residence		
第二共同発明者		Full name of fourth joint inventor, if any Yasumaro TOSHIMA	
発明者の署名	日付	Inventor's signature	Date
住所	Residence 7-2-1-1004, Honmachi Higashi, Chuo-ku, Saitama-shi, Saitama 3380003, Japan		
国籍	Citizenship Japanese		
郵便局	Post Office Address same as residence		
唯一または第一発明者		Full name of fifth joint inventor, if any Takashi SHIMIZU	
発明者の署名	日付	Inventor's signature	Date
住所	Residence 2-4-2-1413 Kamiochiai, Chuo-ku, Saitama-shi, Saitama 3380001, Japan		
国籍	Citizenship Japanese		
郵便局	Post Office Address same as residence		
第二共同発明者		Full name of sixth joint inventor, if any Masayuki NAKATANI	
発明者の署名	日付	Inventor's signature	Date
住所	Residence 4-8-38-101, Kamiochiai, Chuo-ku, Saitama-shi, Saitama 3380001, Japan		
国籍	Citizenship Japanese		
郵便局	Post Office Address same as residence		

(第三以降の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for third and subsequent joint inventors.)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

唯一または第一発明者		Full name of seventh joint inventor, if any	
発明者の署名		Reiko TAKAHASHI	
住所	日付	Inventor's signature	Date
住所		Residence 3-21-30, Tsurusenishi, Fujimi-shi, Saitama 3540026, Japan	
国籍		Citizenship Japanese	
郵便局		Post Office Address Same as residence	
第八共同発明者		Full name of eighth joint inventor, if any	
		Hiroshi MATSUYAMA	
住所	日付	Inventor's signature	Date
住所		Residence 493-7, Jinde, Sakura-ku, Saitama-shi, Saitama 3380812, Japan	
国籍		Citizenship Japanese	
郵便局		Post Office Address Same as residence	
唯一または第一発明者		Full name of ninth joint inventor, if any	
発明者の署名			
住所	日付	Inventor's signature	Date
住所		Residence	
国籍		Citizenship	
郵便局		Post Office Address	
第十共同発明者		Full name of tenth joint inventor, if any	
住所	日付	Inventor's signature	Date
住所		Residence	
国籍		Citizenship	
郵便局		Post Office Address	

(第七以降の共同発明者についても同様に記載し、署名すること)

(Supply similar information and signature for third and subsequent joint inventors.)

# **EXHIBIT 3**

to

**RENEWED PETITION UNDER 37 C.F.R. 1.182**  
**(Serial No. 10/590,872)**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Masashi TAKAI et al.

Serial No.: 10/590,871

Int'l Application

No.: PCT/JP2005/03018

Date Filed: August 25, 2006

Int'l Application

Filing Date: 24 February 2005

For: OPTICAL MEMBER AND BACKLIGHT USING THE SAME

**Mail Stop Missing Parts**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371**

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 dated April 30, 2007, applicants hereby transmit (i) copy of the April 30, 2007 Notification, (ii) Declaration and Power of Attorney, and (iii) check for the \$130 surcharge for late filing of the Declaration.

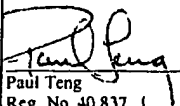
The Declaration enclosed herewith contains the Name of Inventor(s), Title of Invention, Serial Number, and Filing Date, thereby adequately identifying the above-identified application in accordance with 37 C.F.R. 1.497.

The Patent Office is authorized to charge any additional fees that are required, or to credit any overpayment, to our Deposit Account No. 03-3125.

Respectfully submitted,



PAUL TENG, Reg. No. 40,837  
Attorney for Applicant  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, N.Y. 10036  
Tel.: (212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
 Paul Teng Reg. No. 40,837	June 28, 2007 Date



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address COMMISSIONER FOR PATENTS  
 PO Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO
10/590,872	Masashi Takai	5048/76775

INTERNATIONAL APPLICATION NO
------------------------------

PCT/JP05/03018

23432  
 COOPER & DUNHAM, LLP  
 1185 AVENUE OF THE AMERICAS  
 NEW YORK, NY 10036

I.A. FILING DATE	PRIORITY DATE
------------------	---------------

02/24/2005

02/27/2004

CONFIRMATION NO. 2925

371 FORMALITIES LETTER



\*OC000000023590222\*

Date Mailed: 04/30/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/25/2006
- English Translation of the IA filed on 08/25/2006
- Copy of the International Search Report filed on 08/25/2006
- Copy of IPE Report filed on 08/25/2006
- Preliminary Amendments filed on 08/25/2006
- Information Disclosure Statements filed on 08/25/2006
- Oath or Declaration filed on 08/25/2006
- Request for Immediate Examination filed on 08/25/2006
- U.S. Basic National Fees filed on 08/25/2006
- Assignment filed on 08/25/2006
- Priority Documents filed on 08/25/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - The second inventor's last name is different compared to the International Application.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.



**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/590,872	PCT/JP05/03018	5048/76775

FORM PCT/DO/EO/905 (371 Formalities Notice)

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## Declaration and Power of Attorney For Patent Application

### 特許出願宣言書及び委任状

### Japanese Language Declaration

### 日本語宣言書

以下の氏名の発明者として、私は以下の通り宣言します。

As a below named inventor, I hereby declare that:

私の住所、私書箱、国籍は下記の私の氏名の後に記載された通りです。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者であると（下記の名称が複数の場合）信じています。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Optical member and backlight using  
the same

上記発明の明細書（下記の欄でx印がついていない場合は、そこに添付）は、

the specification of which is attached hereto unless the following box is checked:

☐ 月 日に提出され、米国出願番号または特許協定条約  
国際出願番号を \_\_\_\_\_ とし、  
(該当する場合) \_\_\_\_\_ に訂正されました。

☒ was filed on February 24, 2005  
as United States Application Number or  
PCT International Application Number  
PCT/JP2005/3018 and was amended on  
\_\_\_\_\_ (if applicable).

私は、特許請求範囲を含む上記訂正後の明細書を検討し、  
内容を理解していることをここに表明します。

I hereby state that I have reviewed and understand the contents of  
the above identified specification, including the claims, as  
amended by any amendment referred to above.

私は、連邦規則伝典第37編第1条56項に定義されると  
おり、特許資格の有無について重要な情報を開示する義務が  
あることを認めます。

I acknowledge the duty to disclose information which is material to  
patentability as defined in Title 37, Code of Federal Regulations,  
Section 1.56.

Page 1 of 3

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Washington, DC 20231

## Japanese Language Declaration (日本語宣言書)

私は、米国法典第35編119条(a)-(d)項又は365条(c)項に基づき下記の、米国以外の国の少なくとも一か国を指定している特許協力条約365(a)項に基づく国際出願、又は外国での特許出願もしくは発明特許の出願についての外国優先権をここに主張するとともに、優先権を主張している、本出願の前に出願された特許または発明特許の外国出願を以下に、括弧をマークすることで、示しています。

### Prior Foreign Application(s)

外国での元行出願

2004-52780	Japan
(Number)	(Country)
(番号)	(国名)
2004-52781	Japan
(Number)	(Country)
(番号)	(国名)
2004-88625	Japan
(Number)	(Country)
(番号)	(国名)
2004-94651	Japan
(Number)	(Country)
(番号)	(国名)
2004-94652	Japan
(Number)	(Country)
(番号)	(国名)

私は、第35編米国法典119条(e)項に基づき下記の米国特許出願規定に記載された権利をここに主張いたします。

(Application No.)	(Filing Date)
(出願番号)	(出願日)

私は、下記の米国法典第35編1120条に基づき下記の米国特許出願に記載された権利、又は米国を指定している特許協力条約365条(c)に基づき権利をここに主張します。また、本出願の各請求範囲の内容が米国法典第35編112条第1項又は特許協力条約で規定された方法で先行する米国特許出願に開示されていない限り、その先行米国出願書提出日以降で本出願書の日本国内または特許協力条約国際提出日までの期間中に入手された、連邦規則法典第37編1条56項で定義された特許権利の有無に関する重要な情報について開示義務があることを認識しています。

(Application No.)	(Filing Date)
(出願番号)	(出願日)

(Application No.)	(Filing Date)
(出願番号)	(出願日)

私は、私自身の知識に基づいて本宣言書で私が行なう表明が真実であり、かつ私の入手した情報と私の信じることに基づき表明が全て真実であると信じていること、さらに放言になされた虚偽の表明及びそれと同等の行為は米国法典第18編1001条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような放言による虚偽の表明を行えば、申請した、又は既に許可された特許力の効力が失われることを認識し、この点に記のごとく

I hereby claim foreign priority under Title 35, United States Code, Section 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

### Priority Not Claimed

優先権主張なし

27/2/2004	<input type="checkbox"/>
(Day/Month/Year Filed)	
(出願年月日)	
27/2/2004	<input type="checkbox"/>
(Day/Month/Year Filed)	
(出願年月日)	
25/3/2004	<input type="checkbox"/>
(Day/Month/Year Filed)	
(出願年月日)	
29/3/2004	<input type="checkbox"/>
(Day/Month/Year Filed)	
(出願年月日)	
29/3/2004	<input type="checkbox"/>
(Day/Month/Year Filed)	
(出願年月日)	

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.)	(Filing Date)
(出願番号)	(出願日)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application.

(Status: Patented, Pending, Abandoned)
(現況: 特許許可済、係属中、放棄済)

(Status: Patented, Pending, Abandoned)
(現況: 特許許可済、係属中、放棄済)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued

## Japanese Language Declaration (日本語宣言書)

委任状: 私は本出願を審査する手続を行い、且つ東国特許商標庁との全ての事項を進行するために、記名された発明者として、下記の弁護士及び/または弁理士を任命する。(氏名及び登録番号を記載すること)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute the application and transact all business in the Patent and Trademark Office connected therewith (full name and registration number)

Ivan S. Kavrukov (Reg. No. 25,161); Paul Teng (Reg. No. 40,837); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); John P. White (Reg. No. 28,678); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Gary J. Gersbik (Reg. No. 39,992); Peter J. Phillips (Reg. No. 29,691); Richard F. Jaworski (Reg. No. 33,515).

送付先

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Ivan S. Kavrukov, (212) 278-0400

第一発明者又は第一発明者候補

Full name of sole or first inventor

Masashi TAKAI

発明者の署名

日付

Inventor's signature

Date

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Citizenship

Japanese

郵便の宛先

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第二発明者発明者がある場合、その氏名

Full name of second joint inventor, if any

Sachiko ANDO nee Sachiko ARAKI

第二発明者発明者の署名

日付

Second inventor's signature

Date

-- Sachiko ANDO nee Sachiko ARAKI June/17/2007

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郵便の宛先

Post Office Address

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第三発明者発明者について同様に記載し、署名を  
(以下略)

(Supply similar information and signature for third and subsequent joint inventors.)

唯一または第一発明者		Full name of third joint inventor, if any Yohei FUNABASHI	
発明者の署名	日付	Inventor's signature	Date
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第二共同発明者		Full name of fourth joint inventor, if any Yasumaro TOSHIMA	
発明者の署名	日付	Inventor's signature	Date
住所	Residence 7-2-1-1004, Honmachi Higashi, Chuo-ku, Saitama-shi, Saitama 3380003, Japan		
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発明者の署名	日付	Inventor's signature	Date
住所	Residence 2-4-2-1413 Kamiochiai, Chuo-ku, Saitama-shi, Saitama 3380001, Japan		
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郵便局	Post Office Address same as residence		
第二共同発明者		Full name of sixth joint inventor, if any Masayuki NAKATANI	
発明者の署名	日付	Inventor's signature	Date
住所	Residence 4-8-38-101, Kamiochiai, Chuo-ku, Saitama-shi, Saitama 3380001, Japan		
国籍	Citizenship Japanese		
郵便局	Post Office Address same as residence		

(第三以降の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for third and subsequent joint inventors.)

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唯一または第一発明者名		Full name of seventh joint inventor, if any	
		Reiko TAKAHASHI	
発明者の署名	日付	Inventor's signature	Date
住所	Residence 3-21-30, Tsurusenishi, Fujimi-shi, Saitama 3540026, Japan		
国籍	Citizenship Japanese		
郵便局	Post Office Address same as residence		
第八共同発明者		Full name of eighth joint inventor, if any	
		Hirochi MATSUYAMA	
発明者の署名	日付	Inventor's signature	Date
住所	Residence 493-7, Jinde, Sakura-ku, Saitama-shi, Saitama 3380812, Japan		
国籍	Citizenship Japanese		
郵便局	Post Office Address same as residence		
唯一または第一発明者名		Full name of ninth joint inventor, if any	
発明者の署名	日付	Inventor's signature	Date
住所	Residence		
国籍	Citizenship		
郵便局	Post Office Address		
第十共同発明者		Full name of tenth joint inventor, if any	
発明者の署名	日付	Inventor's signature	Date
住所	Residence		
国籍	Citizenship		
郵便局	Post Office Address		

(第三以降の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for third and subsequent joint inventors.)

**COOPER & DUNHAM LLP**

Inv. No.	Inv. No.
06-28-2007	06/07-76775

Inv. No.

Invoice Description  
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